



January 13, 2021

Chief Barry Weber, Chief of Police
Wauwatosa Police Department
1700 North 116th Street
Wauwatosa, Wisconsin 53226

via Certified Mail Return Receipt Requested
#

RE: PRESERVATION OF ALL PHYSICAL AND DOCUMENTARY EVIDENCE
In the matter of the
Date of Incident(s) : August 13, 2020 through October 12, 2020

Dear Chief Weber,

I represent and write this letter on behalf of the clients whom I represent in the attached Addendum with respect to potential claims and who were given various Wauwatosa ordinance violations in relation to peacefully protesting in Wauwatosa. My clients were given various noncriminal tickets including but not limited to violation of emergency orders, event permit required, disorderly conduct, obstruction, resisting in Wauwatosa, Wisconsin from August 13, 2020 through October 12, 2020. It is our understanding that you are in possession of evidence involving my clients. This evidence includes but is not limited to power point presentations, police reports, internal memos, emails text messages, recordings of any 911 calls, witness interview statements or recordings, photographs, medical records, suspect interview statements or recordings.

This correspondence is a litigation hold notice. We hereby notify you that you must preserve and safeguard all of the materials mentioned above, as well as any and all documents and materials relating to the investigation of my clients that are in your possession, custody, or control.

It is specifically requested that you communicate this litigation hold notification to all persons and departments at your facility that have custody of the evidence mentioned above and any documents or communications relating to the investigation of my clients in order that any and all evidence, documents, and materials relating to this investigation is preserved and safeguarded.

The failure to preserve and safeguard the materials set forth above may result in an adverse spoliation instruction and related sanction in any future



litigation relating to this matter.

If you have any questions or concerns please feel free to contact me at your leisure. Thank you for your cooperation.

By: *Kimberley Cy. Motley, Esq.*

Attorney for Plaintiffs

Founding Partner / CEO

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Attachments : Client List